

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

VANESSA RAE RUST,

Plaintiff,

v.

ALTER METAL RECYCLING,

Defendant.

OPINION & ORDER

16-cv-003-jdp

Pro se plaintiff Vanessa Rust brings this lawsuit about her termination from defendant Alter Metal Recycling. I dismissed Rust's complaint under Federal Rule of Civil Procedure 8 because it did not provide a short and plain statement of a claim against Alter Metal. *See* Dkt. 4. I took her to be alleging that Alter Metal violated her rights under Title VII of the Civil Rights Act of 1964 by discriminating against her on the basis of her sex, but her allegations were so threadbare that she failed to allege facts showing unlawful discrimination. *Id.* I gave her a chance to submit an amended complaint explaining her claims. *Id.*

Rust has submitted a response to my order, but it cannot reasonably be characterized as an amended complaint. Perhaps misunderstanding my order, Rust has submitted more than 250 pages of documents discussing her employment with Alter Metal and alleged mistreatment. *See* Dkt. 5. After looking through these materials, I am confident that Rust indeed intends to bring sex discrimination claims against Alter Metal, but what's missing in these voluminous materials is a short and plain statement of the facts related to her claims, as required under Rule 8. Alter Metal cannot file an answer responding to the materials Rust has submitted. Nor is now the time for Rust to present documents she wishes to use as evidence in litigating these claims.

I will give Rust a final chance to submit an amended complaint that complies with Rule 8. All things considered, she was closer to the mark with her original complaint, and her goal should be to provide more detail to the information she provided in that complaint. I will attach to this opinion a complaint form, which she should use to fill out her amended complaint. The “statement of claim” section should be her brief story of what happened; it should not be documents cobbled together from previous proceedings. She should draft her amended complaint as if she was telling a story to people who know nothing about her situation. In particular, she should explain what facts form the basis for her belief that she was discriminated against based on her sex. Plaintiffs can usually accomplish this task in five to ten pages. There should be no need to provide so much detail that the complaint is much longer than that.

If Rust’s amended complaint properly sets out claims regarding her employment and termination, the case will proceed on those claims. If Rust does not submit an amended complaint by the deadline set forth below, or if the amended complaint does not lay out a short and plain statement of her claims, I will dismiss the case.

ORDER

IT IS ORDERED that:

1. Plaintiff Vanessa Rae Rust may have until May 26, 2017, to file an amended complaint that provides a short and plain statement of her claims against defendant Alter Metal Recycling.
2. If plaintiff fails to timely amend her complaint, I will dismiss this case for failure to state a claim upon which relief can be granted.

Entered May 5, 2017.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge